UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

IN THE MATTER OF THE APPLICATION :
OF THE UNITED STATES OF AMERICA FOR :
AUTHORIZATION TO INTERCEPT : APPLICATION FOR
WIRE COMMUNICATIONS OCCURRING : AUTHORIZATION TO
OVER THE CELLULAR TELEPHONE : INTERCEPT WIRE
ASSIGNED CALL NUMBER, (646) 533-8587, : COMMUNICATIONS
WITH INTERNATIONAL MOBIL SUBSCRIBER :
IDENTITY NUMBER 316010013940954 :

STATE OF NEW YORK)
COUNTY OF NEW YORK : ss.:
SOUTHERN DISTRICT OF NEW YORK)

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JESSE M. FURMAN, an Assistant United States Attorney in the Southern District of New York, being duly sworn, states:

- 1. I am an "investigative or law enforcement officer" within the meaning of Section 2510(7) of Title 18 of the United States Code that is, an attorney authorized by law to prosecute or participate in the prosecution of offenses enumerated in Section 2516 of Title 18 of the United States Code.
- 2. Pursuant to the authority vested in him by Section 2516 of Title 18 of the United States Code, by Order Number 2758-2005 of February 24, 2005, the Attorney General of the United States has specially designated appropriate officials of the Criminal Division to exercise the power conferred on him by Section 2516 of Title 18 of the United States Code to authorize applications for a court order authorizing the interception of wire communications. Under the power delegated by special designation of the Attorney General, an appropriately designated

official in the Criminal Division has authorized this application. A copy of that official's memorandum authorizing this application, as well as a copy of the Attorney General's Order designating that official, are attached to this application as Exhibit A.

3. This application is for an order, pursuant to Section 2518 of Title 18 of the United States Code, authorizing the interception and recording of wire communications of EMMANUEL ORUCHE, CHIMDI O. IBIAM, 1 ASAGA UGBO, and others as yet unknown (the "TARGET SUBJECTS"), occurring over a cellular telephone assigned call number (646) 533-8587, which is a cellular telephone with service provided by Sprint Nextel, subscribed to Nicobi Health Care Services, 3682B White Plains Road, Bronx, New York 10467, with International Mobil Subscriber Identity ("IMSI") number 316010013940954 and UFMI number 173*109485*1 (the "TARGET CELLPHONE"), and any telephone number subsequently assigned to the instrument bearing the same IMSI number as the TARGET CELLPHONE, as well as any IMSI number or Electronic Serial Number ("ESN") subsequently assigned to the instrument bearing the same telephone number assigned to the TARGET CELLPHONE, all in

¹ Target Subject CHIMDI O. IBIAM was arrested on or about August 22, 2006. Because he was a participant in the TARGET OFFENSES and because he may continue to communicate with the TARGET CELLPHONE notwithstanding his arrest, he is included as a Target Subject.

IT IS FURTHER REQUESTED that, after reading this application and its supporting papers, the Court seal this application, the supporting affidavit of Special Agent Arthurton and the Court's Orders authorizing the interception of wire communications, and place those documents in the custody of the United States Attorney's Office for the Southern District of New York until they are ordered unsealed by the Court or by another Judge of competent jurisdiction, except that copies of this Order shall be served on the DEA and other participants in the investigation as necessary to effectuate this Order.

JESSE M./ FURMAN

Assistant United States Attorney Southern District of New York (212) 637-2475

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Sworn to before me this __3o day of August, 2006

UNITED STATES DISTRICT JUDGE SOUTHERN DISTRICT OF NEW YORK UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK ____X IN THE MATTER OF THE APPLICATION OF THE UNITED STATES OF AMERICA FOR : : APPLICATION FOR AUTHORIZATION TO INTERCEPT WIRE COMMUNICATIONS OCCURRING : CONTINUED AUTHORIZATION : TO INTERCEPT WIRE OVER THE CELLULAR TELEPHONE ASSIGNED CALL NUMBER, (646) 533-8587, : COMMUNICATIONS WITH INTERNATIONAL MOBIL SUBSCRIBER IDENTITY NUMBER 316010013940954 STATE OF NEW YORK COUNTY OF NEW YORK : 88.: SOUTHERN DISTRICT OF NEW YORK

JESSE M. FURMAN, an Assistant United States Attorney in the Southern District of New York, being duly sworn, states:

- 1. I am an "investigative or law enforcement officer" within the meaning of Section 2510(7) of Title 18 of the United States Code that is, an attorney authorized by law to prosecute or participate in the prosecution of offenses enumerated in Section 2516 of Title 18 of the United States Code.
- 2. Pursuant to the authority vested in him by Section 2516 of Title 18 of the United States Code, by Order Number 2758-2005 of February 24, 2005, the Attorney General of the United States has specially designated appropriate officials of the Criminal Division to exercise the power conferred on him by Section 2516 of Title 18 of the United States Code to authorize applications for a court order authorizing the interception of wire communications. Under the power delegated by special designation of the Attorney General, an appropriately designated

official in the Criminal Division has authorized this application. A copy of that official's memorandum authorizing this application, as well as a copy of the Attorney General's Order designating that official, are attached to this application as Exhibit A.

3. This application is for an order, pursuant to Section 2518 of Title 18 of the United States Code, authorizing the continued interception and recording of wire communications of EMMANUEL ORUCHE, CHIMDI IBIAM, a/k/a "Actor," ASAGA UGBO, WISE UKOMADU, REBECCA AMBO FOMUM-TIBAH, FNU LNU, a/k/a "Okey," FNU LNU, a/k/a "Leroy," FNU LNU, a/k/a "Charlie," FNU LNU, a/k/a "Mazi," JOY LNU, TONY EBI, EMMANUEL OBIDIASO, FNU LNU, a/k/a "Ralph," a/k/a "Chidi Obi," and others as yet unknown (the "TARGET SUBJECTS"), occurring over a cellular telephone assigned call number (646) 533-8587, which is a cellular telephone with service provided by Sprint Nextel, subscribed to Nicobi Health Care Services, 3682B White Plains Road, Bronx, New York 10467,

¹ IBIAM was arrested on or about August 22, 2006. Because he was a participant in the TARGET OFFENSES and because he may continue to communicate with the TARGET CELLPHONE notwithstanding his arrest, he is included as a Target Subject.

² FOMUM-TIBAH was arrested on or about August 9, 2006, and is currently detained. Based on recorded telephone conversations with TARGET SUBJECT EMMANUEL ORUCHE, however, she may still be involved in the TARGET OFFENSES. Accordingly, she is included as a TARGET SUBJECT.

IT IS FURTHER REQUESTED that, upon an <u>ex parte</u> showing of good cause to a judge of competent jurisdiction, the service of the above inventory or return may be postponed for a further reasonable period of time.

application and its supporting papers, the Court seal this application, the supporting affidavit of Special Agent Arthurton and the Court's Orders authorizing the interception of wire communications, and place those documents in the custody of the United States Attorney's Office for the Southern District of New York until they are ordered unsealed by the Court or by another Judge of competent jurisdiction, except that copies of this Order shall be served on the DEA and other participants in the investigation as necessary to effectuate this order.

JESSE M. FURMAN

Assistant United States Attorney Southern District of New York

(212) 637-2475

Sworn to before me this 27th day of September, 2006

UNITED STATES DISTRICT JUDGE SOUTHERN DISTRICT OF NEW YORK